

SERVICE DATE – SEPTEMBER 27, 2005

**SURFACE TRANSPORTATION BOARD  
WASHINGTON, DC 20423**

**ENVIRONMENTAL ASSESSMENT**

**STB DOCKET NO. AB-55 (Sub-No. 661X)**

**CSXT Transportation, Inc. - Abandonment Exemption - in Raleigh County, WV**

**BACKGROUND**

In this proceeding, CSXT Transportation, Inc. (CSXT or railroad) filed a notice of exemption under 49 CFR 1152.50 seeking exemption from the requirements of 49 U.S.C. 10903 in connection with the abandonment of a line of railroad on its Southern Region, Huntington Division East, Jarrolds Valley Subdivision in Raleigh County, West Virginia (WV). The line extends approximately 15.12 miles from Milepost CLP 0.0 at Jarrolds Valley Junction to Milepost CLP 15.12 at the end of the track at Clear Creek.<sup>1</sup> A map depicting the subject line in relationship to the area served is appended to this Environmental Assessment (EA). If the notice becomes effective, CSXT will be able to salvage track, ties and other railroad appurtenances and to dispose of the right-of-way.

**DESCRIPTION OF THE LINE**

The subject line closely parallels Clear Fork Creek and traverses forested areas, several strip mines and mine dumps, many small communities, rivers, and streams. The right-of-way (ROW) varies from 20 to 120 feet wide. According to CSXT, there are no known hazardous material waste sites or sites where known hazardous material spills have occurred on or along the ROW. CSXT has stated that no rail traffic has moved on the line for at least two years, and that any overhead traffic on the line can be rerouted over other lines. CSXT has indicated that the rail line may be suitable for purposes other than rail traffic; however the land may be subject to reversionary interests that may affect the transfer of title.

CSXT has indicated that it intends to negotiate the sale or lease of the line following abandonment for its continued rail use, possibly to a coal customer. CSXT notes that it is seeking to abandon the line to reduce the track infrastructure and not for ceasing rail service on the line. Consequently, CSXT does not plan on salvaging the subject rail line. However, because CSXT is seeking abandonment authority, which if granted would give CSXT the right to

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<sup>1</sup> CSXT Transportation Discontinued Service over the line in 2002. The discontinuance was filed under *CSXT Transportation, Inc. – Discontinuance of Service Exemption – in Raleigh County, WV*, STB Docket No. AB-55 (Sub-No.620X) (STB served July 19, 2002).

salvage the rail line, we have included an analysis of the potential environmental impacts of salvage in this EA.

The ROW was originally acquired and operated by the Chesapeake and Ohio Railway (C&O) between 1902 and 1970. Based on the railroad's historic report, it is not clear when the rail line was actually constructed. In 1973, the Chessie System, Inc. was formed and Chessie System Railroads was adopted as the new corporate identity for the Baltimore and Ohio Railroad Company (B&O), the Western Maryland Railroad Company, and C&O. In 1980, Seaboard Coast Line Industries, Inc. and the Chessie System, Inc. merged into CSXT Corporation. In 1987, B&O merged into C&O, and later that same year C&O merged into CSXT Transportation, Inc.

Eight bridges are located along the rail line. Four of the bridges are more than 50 years old. The historic era bridges consist of three deck plate girder bridges built in 1905 and a timber frame trestle constructed in 1940. The remaining four bridges, which consist of two deck plate girders, a timber frame trestle, and a steel beam span, were built after 1969.

## **ENVIRONMENTAL REVIEW**

CSXT submitted environmental and historic reports that indicate that the quality of the human environment would not be affected significantly as a result of the abandonment or any post-abandonment activities, including salvage and disposition of the right-of-way. CSXT served these reports on a number of appropriate Federal, state, and local agencies as required by the Surface Transportation Board's (Board) environmental rules [49 CFR 1105.7(b)]. The Board's Section of Environmental Analysis (SEA) has reviewed and investigated the record in this proceeding.

The U.S. Department of Agriculture, Natural Resources Conservation Service (formerly the Soil Conservation Service), District Conservationist in White Hall, WV stated that the proposed abandonment would "not impact Prime or Unique Farmland, Statewide Important Farmland, or Locally Important Farmland."

As previously stated, no traffic has moved on the subject line within the last two years. According to CSXT the line has not generated any originating or terminating traffic on the line for over 12 years. Accordingly, the proposed abandonment would not adversely impact the development, use and transportation of energy resources or recyclable commodities; transportation of ozone-depleting materials; or result in the diversion of rail traffic to truck traffic that could result in significant impacts to air quality or the local transportation network.

The U.S. Fish and Wildlife Service (USFWS), West Virginia Field Office in Elkins, WV stated that no Federally listed endangered and threatened species are expected to be impacted by the proposed abandonment.

The U.S. Army Corps of Engineers (USACE), had not commented on the railroad's environmental report at the time this EA was prepared. However, impacts to wetlands and water resources under the jurisdiction of the USACE are not anticipated because the railroad does not intend to conduct any salvaging activities within streambeds or wetlands, or perform activities that could cause sedimentation. Nevertheless, because the subject line traverses rivers and streams, SEA recommends, in the event that CSXT decides to salvage the line, that CSXT consult with the USACE prior to initiating salvaging activities to identify potential permitting requirements under Section 404 of the Clean Water Act (33 U.S.C. 1342).

The West Virginia Department of Environmental Protection concurred with the railroad's assessment that permits under Section 402 of the Clean Water Act (33 U.S.C. 1342) would not be required for the proposed abandonment.

The National Geodetic Survey identified no geodetic station markers that may be affected by the proposed abandonment.

## **HISTORIC REVIEW**

The West Virginia State Historic Preservation Office (SHPO) completed its review of the railroad's historic report and concluded that the proposed abandonment would have no effect on resources listed in or eligible for inclusion in the National Register of Historic Places as long as the railroad does not salvage the tracks and ties or bridges along the line. SEA concurs that the undertaking will have no effect on historic properties if CSXT intends to sell or lease the line for continued rail use. However, SEA recommends a condition that, in the event CSXT intends to salvage the line, CSXT shall reinitiate the Section 106 process and consult with the SHPO, SEA, and Federally recognized tribes regarding any adverse effects to historic properties resulting from any salvage activities.

The SHPO has requested that CSXT provide it with a Historic Property Inventory (HPI) form for each bridge located along the line and a USGS map with Universal Transfer Mercator (UTM) point coordinates along every 0.004 inches along the line. The additional information request is intended to assist the SHPO in updating their survey files, but is not required as part of the Section 106 review process. Therefore, SEA will not require this request as part of its recommended condition, but suggest that CSXT provide the SHPO with the requested documentation at their discretion.

## **CONDITIONS**

SEA recommends that the following environmental conditions be placed on any decision granting abandonment authority.

1. The subject line traverses rivers and streams. Therefore, SEA recommends, in the event that CSXT is unable to lease or sell the rail line for continued rail use, that CSXT consult with the United States Army Corps of Engineers prior to initiating

salvaging activities to identify potential permitting requirements under Section 404 of the Clean Water Act (33 U.S.C. 1342).

2. In the even CSXT is unable to lease or sell the rail line for continued rail use and decides to salvage the line, prior to salvaging the line, CSXT shall reinitiate the Section 106 process and shall retain its interest in and take no steps to alter the historic integrity of all sites and structures on the right-of-way that are eligible for listing or listed on the National Register of Historic Places until completion of the Section 106 process of the National Historic Preservation Act, 16 U.S.C. 470f.

## **CONCLUSIONS**

Based on the information provided from all sources to date, SEA concludes that, as currently proposed, and if the recommended condition is imposed, abandonment of the line would not significantly affect the quality of the human environment. Therefore, the environmental impact statement process is unnecessary.

Alternatives to the proposed abandonment would include denial (and therefore no change in operations), discontinuance of service without abandonment, and continued operation by another operator. In any of these cases, the existing quality of the human environment and energy consumption should not be affected.

## **PUBLIC USE**

Following abandonment and salvage of the rail line, the right-of-way may be suitable for other public use. A request containing the requisite four-part showing for imposition of a public use condition (49 CFR 1152.28) must be filed with the Board and served on the railroad within the time specified in the Federal Register notice.

## **TRAILS USE**

A request for a notice of interim trail use (NITU) is due to the Board, with a copy to the railroad, within 10 days of publication of the notice of the petition for exemption in the Federal Register. Nevertheless, the Board will accept late-filed requests as long as it retains jurisdiction to do so in a particular case. This request must comply with the Board's rules for use of rights-of-way as trails (49 CFR 1152.29).

## **PUBLIC ASSISTANCE**

The Board's Office of Public Services (OPS) responds to questions regarding interim trail use, public use, and other reuse alternatives. You may contact OPS directly at 202-565-1592, or mail inquiries to Surface Transportation Board, Office of Public Services, Washington, DC 20423.

## **COMMENTS**

If you wish to file comments regarding this environmental assessment, send an **original and two copies** to Surface Transportation Board, Case Control Unit, Washington, DC 20423, to the attention of Catherine Glidden, who prepared this environmental assessment. Environmental comments may also be filed electronically on the Board's web site, [www.stb.dot.gov](http://www.stb.dot.gov), by clicking on the "E-FILING" link. **Please refer to STB Docket No. AB-55 (Sub-No. 661X) in all correspondence, including e-filings, addressed to the Board.** If you have any questions regarding this environmental assessment, please contact Catherine Glidden, the environmental contact for this case, by phone at 202-565-1542, fax at 202-565-9000, or e-mail at [gliddenc@stb.dot.gov](mailto:gliddenc@stb.dot.gov).

Date made available to the public: September 27, 2005.

**Comment due date: October 12, 2005.**

By the Board, Victoria Rutson, Chief, Section of Environmental Analysis.

Vernon A. Williams  
Secretary

Attachment